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Date: December 20, 2004
Pages including this cover page: 6

Re: U.S. Serial No. 09/683,185 (Our Docket No. EH-10417)

Listed below are the following papers being faxed regarding the above referenced case.

1. Notice Of Appeal – duplicate copy
2. Petition For Extension Of Time Under 37 CFR 1.136(a)–duplicate copy

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of

Rabinovich et al.

Date: 20 December 2004

Serial No: 09/683,185

Docket No: EH-10417

Filed: 29 November 2001

Examiner: Deborah Yee

Title: METHOD AND APPARATUS FOR
HEAT TREATING MATERIAL

Art Unit: 1742

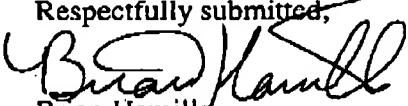
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed please find the following papers regarding the above referenced case.

1. Notice of Appeal – duplicate copy
2. Petition for Extension of Time Under 37 CFR 1.136(a) – duplicate copy

Respectfully submitted,

Brian Hamilla

Registration Number 38,482
Attorney for Applicants

**CERTIFICATE OF FACSIMILE
TRANSMISSION**

I hereby certify that this paper
is being facsimile transmitted to
the Patent and Trademark
Office on the date shown
below.

Anna Sardinskas
Type or print name of person
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PTO/SB/31 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**
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Docket Number (Optional)

ER-10417

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on December 20, 2004

Signature Anna SardinskasTyped or printed name Anna SardinskasIn re Application of
Rabinovich et al.Application Number
09/683,185Filed
11/29/2001For Method and Apparatus for Heat
Treating MaterialArt Unit
1742Examiner
Deborah Yee

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 21-0279. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

 applicant/inventor. assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96) attorney or agent of record.Registration number 38,482

860-557-1089

Telephone number

 attorney or agent acting under 37 CFR 1.34.Registration number if acting under 37 CFR 1.34. 38,482

December 20, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

 *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.5. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/31 (09-04)

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Docket Number (Optional)

EH-10417

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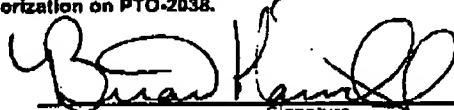
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DUPPLICATE

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I am the

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- attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. 38,482



Signature

Brian J. Hamilla

Typed or printed name

860-557-1089

Telephone number

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